seige will ruin the military man who undertake at it is no with Wilher's siege of Lavrence, which resembles that achievement in which will be the send of the control of th usurpers "Democracy." What then? He will live to learn that nothing is law, or can have the sanctity thereof, save the legitimately expressed will of the majority.

CITY ITEMS.

FUNERAL OF THEODORE L. TOMPKINS .- The funeral of this unfortunate young man, who died from injuries received at No. 3 Mulberry street, last Saturday night, took place from the residence of his mother in Hoboken yesterday forenoon. There was a large assemblage of people in attendance upon the services at the house, which were conducted by the Rev. V. Bruce, Rector of St. Paul's Church, Hoboken. The Highwood Guard, of which company deceased was an esteemed member, were present in a body, attired in the back foods costs and white pants. The remains of black frock coats and white pants. The remains of deceased were placed in a neat mahogany coffin, upon which was a silver plate, with the following inscrip-

THEODORE L. TOMPKINS,
Died August 2, 1837,
Aged 22 years, 11 months and 15 days.

At the conclusion of the services, and after the rela tives and friends had taken the farewell look, the procession was formed and moved toward the ferry, marching to the solemn beat of muffled drums. The following members of the Highwood Guard acted as

PALL-BEARERS:

Sergeant W. Scott,
Private R. Waterbury,
Private J. Chipchase,
Private J. D. Cox.

The remains were escorted to the Hudson River Railroad depot in Chambers street, and taken by the 12 o'clock train to Tarrytown for burial.

BEATING AND STABBING A MAN IN THE FOURTH WARD .- Two hard looking characters named Peter McKenzie and William Easton, were arrested on Tuesday night, charged with beating and stabbing John Lewry, at the corner of Cherry and Roosevelt streets. The cries of Lowry brought the police to the spot, when the men above named were taken into custody, and locked up for the remainder of the night in the Fourth Ward Station-House. The parties were yesterday morning taken before Justice Osborn at the Tombs, when Lowry made affidavit that at the time in question Easton and others held him, while McKenzie stabbed him in three or four places in the

arm, inflicting severe wounds.

John Healy of No. 48 Roosevelt street, testified that John Healy of No. 48 Roosevelt street, testified that between 11 and 12 o'clock on the night of August 4, he was near the corner of Roosevelt and Cherry streets when he saw Lewry on the corner surrounded by a crowd of five of five or six men; Lowry was intoxic t 1 d at the time; he saw Easton seize hold of Lowry and saw the others beat him and cut him with a knife.

James Dann, of No. 41 Rutgers street, testified that he was on the corner of Roosevelt and Cherry streets, on Tuesday night, between 11 and 12 o'clock, and there saw Lowry, in Maher's grocery store; subsequently, he saw Lowry in the street, and saw a man calling himself Peter McKenzie strike at Lowry with a knife three times, but witness could not tell whether the knife struck him or not.

Justice Osbora, before whom McKenzie and Easton were taken, committed them to prison for further

ton were taken, committed them to prison for further

FATAL QUARREL BETWEEN LABORERS .- On last Saturday afternoon, a difficulty occurred between Daniel O'Connell and one Hugh Hartigan, both hodcarriers, then engaged on the new building is the course of erection in Chambers street, near the theater. Upon reaching one of the upper stories of the house, with loads of brick, these parties had a set-to, and came near falling to the ground and breaking their necks. They descended to the ground, however, without meeting any serious mishap; and when on terra firma again, Hartigan jumped into O'Connell's hod and otherwise abused him. He was expostulated with by O'Connell for his conduct, whereupon the dispute was renewed, and Hartigan dealt his adversary a severe blow with his fist. Other laborers then interfered, but before the difficulty could be settled Harti-gan struck O'Connell another blow on the neck, which knocked him against the timbers and rocks into the basement of the premises, a distance of nearly 20 feet. O'Connell was taken up very dangerously injured, and conveyed to the New York Hospital, where he grew

worse, and died yesterday.

Coroner Connery held an inquest on the body, when several witnesses testified to the facts as above set forth. The Jury rendered a verdict that the deceased came to his death by injuries received in consequence of falling into a cellar in Chambers street, near the theater, said fall being occasioned by a blow given at the hands of Hugh Hartigan. After the verdict was rendered the Coroner issued his warrant for the arrest of Hartigan. The deceased was 37 years of age and a native of Ireland. He resided in Roosevelt street, where he has left a family to mourn his loss.

rested Ellen Neary, and sent her to Ward's Island.

The above cases are a fair exemplification of the unblushing profigacy which prevails on emigrant ships. Here are a number of girls selected on account of good character, who were vouched for by their clergy as being respectable young women, placed on shipboard, and there irretrievably ruined within the short space of four or five weeks. Who is responsible for this? Clearly, the officers of the vessel, for allowing unrestricted intercourse between the crew and their female passengers. But why should officers of packets be expected to interfere when it is notorious that they generally set an example of shameless profligacy to their men. This is no isolated case. We have reason to believe that on the packet-ships which come from European ports to the port of New-York more women are prostituted every year than in London, Paris and

New-York put together.
This dreadful state of things, however, will never be bettered until our merchants select good, moral men to command their ships, and establish on board a system of rigid non-intercourse between the passengers and crew. We can scarcely look for this, however, while such men as Capt. Conway are retained in command, even after the exposure of their profligacy. In the case above alluded to, it is palpably apparent that the officers of the ship must have been cognizant of the conduct of their crew. They knew also that the ship was liable to be fined for every passenger not landed at Castle Garden, and yet allowed the crew to secrete these girls in the forecastle and then smuggle them ashore and convey them to their Water street dens. We trust that their willful neglect of duty will be punished to the utmost extent of the law.

NARBOW ESCAPE .- Much excitement was created NARROW ESCAPE.—Much excitement was created at Long Branch on Saturday morning, in consequence of a young lady, a daughter of Abram Hart, esq., of Philadelphia, having been carried by the surf beyond her depth. She wore a life-preserver, and her father went to her assistance, but also could not get back, and both would have perished but for the assistance of a Mr. Morris.

DISHONEST SERVAST .- Officer Mathews yesterday Dishonest Servant.—Officer Mathews yesterday arrested a servant girl named Margaret Heron, charged with stealing a breastpin valued at \$75, from Mr George W. King, at No. 57 East Twenty-eighth street. The breastpin was in a closet in Mr. King's room, and was found concealed between the mattress and straw bed in Margaret's bedroom. The accused is 23 years of age and a native of Ireland. Justice Davison, before whom the prisoner was taken, committed her for trial.

THE IMPERIAL PHOTOGRAPH Is made only at BRADY's Gallery, No. 359 Broadway, over

Thompson's Saloon.

AMBROTYPES At BRADY'S Lower Gallery, No. 205 Broadway, cor. Fulton-at-

GAS! GAS!-Gas fixtures, of new and beautiful designs, will be found at the great manufactory depot of ARCHER, WARKER & Co., No. 376 Broadway. The best gas cook store in the world. Call and see it.

Many who suffer from HEADACHE and NERVOUS DEBILITY are ignorant that the real cause, in most instances, is a deranged state of the stomach and digestive functions. The OXYGENATED BITTERS are peculiarly adapted to the cure of

FINE POCKET CUTLERY.—The subscribers offer every variety of the above, made by the first manufact being the richest display of the hind in the city. J. Salvana, store only at No. 7 Aster House.

A STATE CONTROLLY TRIBUNE.

THURSDAY AS GOST 6, 1857.

THE STATE CONTROLLY TRIBUNE.

THE STATE C

in the Count of Arrive Count of Chancery, Yaton was always discharged from impreferences by the same joint, and office the same joint, and office the same joint, and office the count of Extreme the relation of the form, and counts of the Count of Extreme the relation of the form, and counts of the count of Extreme the relation of the count of the coun

things touching and concerning the same, and that a writ of certiorar issue for that purpose.

The People of the Nate of New-York to the Hos. Daniel P. Ingraham, one of the Judget of the Court of Common Pleas for the City and County of New-York, greeting?

We, being willing for certain causes, to be certified of certain proceedings had been A. D. 1837, upon a writ of habeas corpus such on the Manney of Real P. Ingraed and the Court of Charles Devin, do command you that you send the said writ of habeas corpus and your proceedings, and the orders which my on have made thereon, with all things touching and concerning the same before our Justices of our Supreme Gourt, at the City Hall of the City of New-York, on the second Monday of September, A. D. 1837, under your hand, together with this writ; that our said Court may thereupon cause to be done therein, whatever ombot to done.

HENRY E. DAVIES,
One of the Justices of our Supreme Court, at the City of New-York on the 3th day of August, A. D. 1857.

FIELD & SLUYTE, Attorneys.

SUPERIOR COURT—SPECIAL TERM-August 4.—Before Judge Hoffman.

INTERESTING USER IN DECISION.

Seth C Keyes agt. Wm. Moultrie and Thomas Palmer.

On the 3d day of May, 1856, the plaintiff loaned to the defendants \$1,000, to be repaid on the 18th day of July, 13 was spreed that the defendants should pay \$37.50 for this loan. That sum was fixed upon because Keyes had a fast upon Duncan, Shemman & Co., which would not fall due till the 18th day of Suprember, 1856, the plaintiff and purpose of July, for \$1,600. This was discounted by deducting \$2.25, and the ore-sixth was the amount to be paid by the defendants \$4,500, a check for \$2.50 and the the flag of May, 1855, on the 18th day of October. 1855, the note in an interest on the 3th day of October. The whole legal interest payable from the 3th day of May to the maturity of the present note would be \$3.57. There was paid, as we have seen, \$5.750, and, included in the present note, \$150.

On the 6th day of October, 1855, the note in a win was aften

amount was made up, the interest (\$11.56) being added to the note.

The charges in the amount by the payment and repayment of the \$500 and otherwise I do not think material.

Then Moultrie executed to Palmer a bond and mortgage for \$1,000, on which an attempt to raise money was made unsuccassfully. Moultrie then promised to execute a mortgage directly to the plaintiff upon certain terms, and this engagement be broke.

Now arises the difficulty of the case. Could the \$1,000, the consideration of the mortgage, have been recovered in any action! If it could not, even had the mortgage been given, there would have been a legal defense to it.

The loan originally tainted with usury, was the basis of the mortgage, the amount to be secured by it. The parties did not meet and mutually waive the cacess, or repay it, and agree to a new security for principal only. I am unable to get rid of this disficulty.

The counsel of the plaintiff has made a point which I wish was tenable, that an attorney and counsel shall not be allowed to set up as against a client this harsh defense. But I cannot find authority for it.

I am driven, and most reloctantly, to my conclusion, which is that the complaint must be dismined.

COURT OF SPECIAL SESSIONS—August 4—Before Justices
OSBORN and BROWNLOW.
This Court disposed of as unusuall number of cases
this morning, though scarcely one was invested with
any marked interest.
Timothy Tahen arraigned for accaul and battery,

COLE—On Wednesday morning. August 5, after a severe illness, George H. Cole, aged 49 years and 8 months. The friends of the family are invited to attend his foneral this day (Thursday), at 1 p. m., from his late residence, No. 72 First street. CROOKS—On Wednesday, August 5, Robert Emery, son of the Rev. G. R. and S. Frances Crooks, in the 10th year of his

the Rev. G. R. and S. Frances Crooks, in the 19th year of his age.

The friends of the family are respectfully invited to attend the funeral from residence of his father at 168 East Seventeenth street, this afternoon at 5 o'clock, without further notice.

DOWNEY—On Saturday, August 1, Catharine Rilley, daughter of he late Thomas and Mary Downey, in the 230 year of her age.

FICK—On Tuesday, August 4, Sarah Ellen, only daughter of Peter and Mary Jane Fick, aged 3 weeks and 4 days.

FRANKLIN—On Monday evening, August 3, of consumption, John Franklin, in the 43d year of his age.

DAVENFORT—On Tuesday, Aug 4, Rufus Davenport, in the 31st year of his age.

The funeral will take place from his 1ste residence, No. 32 Eleventh street, near University place, on Thursday, the 6th inst., at 59 o'clock a. m. The relatives and friends are respectfully invited to attend without further invitation. The remains will be taken to Flatbush, L. I., for interment.

GAFVEY—On Tuesday, August 3, Mrs. Mary Garvey, wife of Luke Garvey, aced 35 years.

GARVEY—On Tuesday, August 3, Mrs. Mary Garvey, wife of Luke Garvey, aced 35 years.

GRIFFITH—At Uttea, after a short illness, Mrs. Jane W., wife of Charles Griffith, aged 40 years.

HANNEGAN—On Monday, August 3, Winifred Marksmas, in wife of John Hannegan, aged 32 years.

HAVILAND—In this city, on the 4th last, after a short illness, James G. Haviland, aged 5 years 6 months and 4 days, only child of William and Etiasbeth P. Haviland, andigrandson of the late Jas. G. Haviland. William Pye and John Pye, and brother-in-law Selah T. Reeve, are respectfully invited to attend the funeral from the residence of his father, No. 50 Stanton treet, on Thursday afternoon, at 5 o'clock, without further notice.

Serah C. Hibbert, aged to Morgaret Ann Jaquins,
Notice of foueral to-morrow.
JAQUINS—On Tuesday, August 4, Margaret Ann Jaquins,
aged 3 years, 9 months and 2 days.
JENNY—On Monday, August 5, of consumption, Mrs.
Bridget Jenny, wife of Augustus Jenny.
MERIAM—On Tuesday, August 4, after a short illness, Mary
E. Meriam, wife of S. A. Meriam, aged 21 years, 6 months and

E. Meriam, wife of S. A. Meriam, aged 21 years, 6 months and
4 days. 1
The friends of the family are invited to attend her fuseral en
Friday. 7th inst., at II a m., from nor late residence No. 35
Clemont avenue, near Park avenue, Brooklyn.
Massachusette papers please copy.
MACDOUGAL—On the 4th inst, at No. 447 Columbia attent,
Brooklyn. of congestion of the lungs. Harriet, Foungest
daughter of J. H. and Susan Macdougal, aged 11 months.
Quebec papers please copy.
MATTLAND—On Wednesday evening, August 5, Miss Sarab
R. Maitland, daughter of the late Wm Maitland.
The relatives and friends of the family are respectfully juvited
to attend the funeral from the residence of her uncle, H. Mott,
No 164 East Seventeenth street, this afternoon at 5 dock.
The remains will be taken to White Plains for interment.
McGOWAN—On Tuceday, August 4, Margaret, daughter of
Jemes and Margaret McGowan, aged 5 months and 5 days.

16 years.

18 years.

63 years.
SLOCUM-Suddenly, on the 4th inst, Tiley E. Slocum, aged 33

SLOGUM—Suddenly, on the 4th men, the years and 23 days.

The relatives and friends of the family are respectfully invited to attend the funeral from his late residence, No. 97 West to attend the funeral from his late residence, No. 97 West to attend the funeral from his late residence, No. 97 West to attend the funeral from his late of the function of the first the function of the first the function of the func

child of James and Margaret S. Steeley, and the friends and relatives of the family are respectfully invited to attend her funeral Thursday afternoon, at 3 o'clock, from its late residence, No. 531 Hudeon street, without further invitation.

Buffalo papers please copy.

TOMPKINS—Suddenly, on Sunday morning, Angust 2 at the residence of his mother, No. 17 Washington persees, Hoboten, Theodore L. Tompkins in the 22-year of his 25-

boken, Theodore L. Tompkine in the 2-! year of his 82-VAN BRUNT—On Tuesday, August 4th, Maria Louise Van Brunt, only child of Theodore and Jennie M. Van Brunt, aged 4 months and 39 days. VAN WINKLE—In Brooklyn, on Tuesday, August 4, Alice Josephine, daughter of Joseph H. and Jane Van Winkin, aged 7 years, 3 months and 5 days. WOOD—On the morning of the 4th inst, after a short and so-vere illness, Mary, wife of Rivington M. Wood, aged 16 years and 6 months.

YOUNGS-On Monday evening, August 3, of consumptions Joanna wife of Oliver L. Youngs, aged 23 years, 3 mention and 22 days.